

Submitted June 10, 2015
Approved as of
Date June 10, 2015

**MINUTES OF THE ROCKVILLE PLANNING COMMISSION
MEETING NO. 09-2015
Wednesday, May 13, 2015**

The City of Rockville Planning Commission convened in regular session in the
Mayor and Council Chambers at 7:00 p.m.
Wednesday, May 13, 2015

PRESENT

Don Hadley, Chair

Anne Goodman	Gail Sherman
David Hill	John Tyner, II
Jack Leiderman	

Present: Marcy Waxman, Senior City Attorney
David Levy, Chief of Long Range Planning
Bobby Ray, Principal Planner
Margaret Hall, Planner II
Cindy Kebba, Planner III

I. RECOMMENDATION TO MAYOR AND COUNCIL

- A. Major Site Plan Amendment, STP2015-00252**, 15995 Frederick Road, Bainbridge Shady Grove Apartments, LLC. A request to amend the site plan approval for STP2011-00091 by modifying a condition of approval (No. 6) requiring the applicant to obtain an emergency access easement from the Washington Area Metropolitan Transportation Authority (WMATA) and the Maryland Transit Authority (MTA) along the existing Shady Grove Metro access road.

Bobby Ray presented his staff report and recommends removal of Condition #6 and modifies Condition #32 as presented in the staff memorandum. Mr. Ray also answered questions from the Commission.

Erika Latham of Ballard Spahr answered questions regarding access to emergency vehicles and sidewalk access from the Shady Grove Metro station.

Commissioner Tyner moved, seconded by Commissioner Hill, for approval of major site plan amendment STP2015-00252, considering staff's recommendations for deleting Condition #6 from STP2011-00091 and modifying Condition #32 as presented on page 3 of the staff memorandum.

The motion passed 6-0 (Commissioner Littlefield was absent).

- B. Final Record Plat, PLT2015-00541, Shelter Development, LLC. (Brightview Town Center).** A Final Record Plat Application for the resubdivision of Lot 25, Block D, City Center, Plat No. 24617 containing 2.129 acres of land (92,750 square feet), including dedication of rights-of-way for the construction of the Maryland Avenue and Dawson Avenue extensions. The property is located in the MXCD (Mixed Use Corridor District) Zone.

Bobby Ray presented the staff report and recommended approval.

Kevin Johnson with Johnson Bernat Associates, engineer for the project elaborated on various elevations outside the right-of-way. He also answered questions from the Commission.

Tim Dugan with Shulman Rogers, representing Shelter Development, introduced Carmen Gilmore Project Director for Shelter Development. He stated that he agrees with staff's recommendation and asked for the Commission's approval. He also answered questions from the Commission.

Commissioner Leiderman moved, seconded by Commissioner Tyner, to approve Final Record Plat PLT2015-00541, including the staff report and conditions therein.

The motion passed 6-0 (Commissioner Littlefield was absent).

II. DISCUSSION ITEMS

- A. Draft Rockville's Pike Plan - Review of letter from Mayor and Council** (continued from April 8). The Mayor and Council completed their review of the Planning Commission's draft plan and have provided suggested modifications for the Commission to consider prior to formally transmitting it for adoption.

Commissioner Hill informed the Commission that the Master Plan Bill regarding plan modifications by local legislative body was fully enacted by the signature of the Governor.

Marcy Waxman, Senior City Attorney provided additional clarification of this bill and how it relates to the City of Rockville's protocol.

David Levy and Cindy Kebba resumed their discussion on building heights and accessory buildings.

Commissioner Hill moved to retain the recommendation of the Mayor and Council with a modification that states, "accessory buildings are allowed throughout the plan area but their appearance and uses should be clearly subservient to the main building."

A friendly amendment was offered, which states, "but their size, appearance and uses should be clearly subservient to the main building." Commissioner Leiderman seconded the motion.

The motion passed 5-0-1 (Commissioner Goodman abstained, Commissioner Littlefield was absent).

During discussion, a sub-committee was formed and approved by the Commission to address building heights. The sub-committee will include Commissioners Goodman, Littlefield and Tyner.

The meeting recessed at 10:08 pm and reconvened at 10:16 pm.

- B. Comprehensive Master Plan Update.** The Commission will discuss the update process and the kickoff event scheduled for May 9.

David Levy provided a summary of the kick-off event in addition to an action plan for future meetings. He also fielded several questions and suggestions from the Commission.

III. COMMISSION ITEMS

- A. Staff Liaison Report** – Mr. Levy informed the Commission that the Renaissance Street renaming will be the only item on the May 27th meeting agenda. He also reminded the Commission that 1) the Annual Report is ready for their approval, 2) on June 8th there will be a presentation to Mayor and Council on the Master Plan update, 3) notices are going out for a tentative June 3rd public meeting for the Southlawn Industrial Study, and 4) there will be a new Commissioners training for Commissioner Sherman.
- B. Old Business** – Commissioner Leiderman suggested that the public record be opened to receive more public input on building heights. Commissioner Goodman asked if she could have her draft Position Paper put on the June 10th agenda.
- C. New Business** – Planning Commission 2014 Draft Annual Report
Commissioner Tyner moved, seconded by Commissioner Goodman, to approve the draft annual report subject to the noted edits. The motion passed 6-0 (Commissioner Littlefield was absent).
- D. Minutes** – Meeting 07-2015 dated April 8, 2015. Commissioner Hill moved, seconded by Commissioner Tyner, to approve the meeting minutes with noted edits. The motion passed 5-0-1 (Commissioner Sherman abstained, Commissioner Littlefield was absent).

Meeting 08-2015 dated April 22, 2015. Commissioner Leiderman moved, seconded by Commissioner Goodman, to approve the meeting minutes with noted edits. The motion passed 5-0-1 (Commissioner Sherman abstained).

- E. FYI Correspondence**

IV. ADJOURN

There being no further business to come before the Planning Commission, the meeting adjourned at 11:05 p.m.

Respectfully Submitted,

Sandra Y. Driver, Commission Secretary